

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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| IN RE: PORK ANTITRUST<br>LITIGATION  | Case No. 0:18-cv-01776-JRT-HB |
| IN RE: PORK ANTITRUST<br>LITIGATION  | Case No. 0:21-md-02998-JRT-HB |
| This document relates to:<br><br>Subway Protein Litigation Corp., as<br>Litigation Trustee of the Subway® Protein<br>Litigation Trust v. Agri Stats, Inc. et al. | Case No. 0:21-cv-01605-JRT-HB |

**STIPULATION OF DISMISSAL WITH PREJUDICE  
OF CLAIMS BY SUBWAY PROTEIN LITIGATION CORP.  
AGAINST DEFENDANT JBS USA FOOD COMPANY**

The parties in the above styled action, through counsel, stipulate to the following and respectfully request this Court’s approval of their stipulation:

This Stipulation is between Plaintiff Subway Protein Litigation Corp., as Litigation Trustee of the Subway® Protein Litigation Trust (“Plaintiff”) and Defendant JBS USA Food Company (“JBS USA”).

1. This Stipulation relates only to Plaintiff’s claims in *In re: Pork Antitrust Litigation*, Case No. 0:18-cv-01776-JRT-HB; *In re: Pork Antitrust Litigation*, 0:21-md-02998-JRT-HB (MDL No. 2998); and *Subway Protein Litigation Corp., as Litigation Trustee of the Subway® Protein Litigation Trust v. Agri Stats, Inc. et al.*, Case No. 21-cv-01605-JRT-HB (collectively referred to as “Actions”).

2. In accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff and JBS USA stipulate and agree to the dismissal, with prejudice, of Plaintiff's claims asserted against JBS USA in the Actions with each side bearing its own attorneys' fees and costs. The Stipulation of Dismissal, with prejudice, has no bearing on the Plaintiff's claims against Defendants other than JBS USA.

Dated: December 16, 2021

Respectfully submitted,

/s/ David B. Esau

/s/ Stephen R. Neuwirth

**CARLTON FIELDS, P.A.**

David B. Esau  
Kristin A. Gore  
Garth T. Yearick  
525 Okeechobee Boulevard, Suite 1200  
West Palm Beach, Florida 33401  
Tel: (561) 659-7070  
Fax: (561) 659-7368  
desau@carltonfields.com  
kgore@carltonfields.com  
gyearick@carltonfields.com

Aaron A. Holman  
Email: aholman@carltonfields.com  
200 S. Orange Avenue, Suite 1000  
Orlando, Florida 32801  
Tel: (407) 849-0300  
Fax: (407) 648-9099

***Counsel for Plaintiff***

Donald G. Heeman (#0286023)  
Jessica J. Nelson (#0347358)  
Randi J. Winter (#0391354)  
SPENCER FANE LLP  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
Telephone: (612) 268-7000  
dheeman@spencerfane.com  
jnelson@spencerfane.com  
rwinter@spencerfane.com

Stephen R. Neuwirth (*pro hac vice*)  
Michael B. Carlinsky (*pro hac vice*)  
Sami H. Rashid (*pro hac vice*)  
Richard T. Vagas (*pro hac vice*)  
David B. Adler (*pro hac vice*)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
51 Madison Avenue, 22nd Floor New  
York, NY 10010  
Telephone: (212) 849-7000  
stephenneuwirth@quinnemanuel.com  
michaelcarlinsky@quinnemanuel.com  
samirashid@quinnemanuel.com  
richardvagas@quinnemanuel.com  
davidadler@quinnemanuel.com

***Counsel for Defendant JBS USA Food  
Company***